

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-52 and 54 are pending in this case. Claims 1, 7, 11, 12, 24, 30, 34, 35, 46, 47, and 54 are amended and Claim 53 is canceled by the present amendment. The changes to Claims 1, 7, 11, 12, 24, 30, 34, 35, 46, 47, and 54 correct matters of form and are supported in the originally filed disclosure at least at paragraph [0058] of the published Specification. Thus, no new matter is added.

In the outstanding Office Action, Claim 46 was objected to; Claims 7, 11, 12, 30, 34, and 35 were rejected under 35 U.S.C. § 112, second paragraph; Claim 53 was rejected under 35 U.S.C. § 101; Claims 1-4, 6, 7, 9-13, 15, 20, 22-27, 29, 30, 32-36, 38, 43, 45-50, and 52-54 were rejected under 35 U.S.C. § 102(e) as anticipated by Koguchi (U.S. Pub. No. 2002/0141380); and Claims 5, 8, 16-19, 21, 28, 31, 39-42, 44, and 51 were rejected under 35 U.S.C. § 103(a) as unpatentable over Koguchi in view of Ben-Chorin, et al. (U.S. Patent No. 7,352,488, herein “Ben-Chorin”).

In light of the amendment to Claim 46, Applicants respectfully request that the objection to Claim 46 be withdrawn.

In light of the amendments to Claims 7, 11, 12, 30, 34, and 35, Applicants respectfully request that the rejection of Claims 7, 11, 12, 30, 34, and 35 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim 53 is canceled. Thus, the rejection of Claim 53 under 35 U.S.C. § 101 is moot.

Applicants respectfully traverse the rejections of the pending claims.

Amended Claim 1 includes “a memory that **stores image data following scanning correction which includes conversion from red, green, and blue (RGB) to cyan, magenta, yellow, and black (CMYK)**, the image data being in a first format.”

The outstanding Office Action asserts Koguchi as teaching every element of Claim 1.

Koguchi describes a data transmission apparatus that allows a recipient to specify parameters, such as resolution, color or monochrome mode, and file format, when receiving image data.

However, as described at paragraph [0061] of Koguchi, image data obtained from a scanner is written to memory. However, Koguchi does not teach or suggest that the memory “**stores image data following scanning correction which includes conversion from red, green, and blue (RGB) to cyan, magenta, yellow, and black (CMYK).**”

Because Koguchi does not teach or suggest at least the above-discussed features of Claim 1, Applicants respectfully request that the rejection of Claim 1 under 35 U.S.C. § 102(e) be withdrawn.

Claims 24, 47, and 54, though differing in scope and/or statutory class from Claim 1, patentably define over Koguchi for similar reasons as Claim 1. Thus, Applicants respectfully request that the rejection of Claims 24, 47, and 54 under 35 U.S.C. § 102(e) be withdrawn.

Claims 2-23 depend from Claim 1; Claims 25-46 depend from Claim 24; and Claims 48-52 depend from Claim 47. Thus, Claims 2-23, 25-46, and 48-52 patentably define over Koguchi for at least the same reasons as Claims 1, 24, and 47. Further, Ben-Chorin, which is additionally asserted against Claims 5, 8, 16-19, 21, 28, 31, 39-42, 44, and 51, does not cure the deficiencies of Koguchi with regard to Claims 1, 24, and 47.

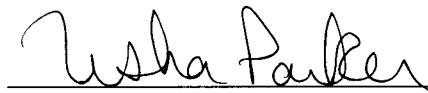
Ben-Chorin describes a spectrally matched print proofer directed to reproducing colors as they should appear. At column 4, lines 54-60, in the Background, Ben-Chorin describes scanning a slide to obtain RGB values, converting them to CMYK separations and then creating plates which are installed on a press for print. However, Ben-Chorin, like Koguchi, fails to teach or suggest the above-quoted features.

Consequently, because Koguchi and Ben-Chorin, even in combination, fail to teach or suggest the above-discussed features, Applicants respectfully request that the rejections under 35 U.S.C. § 102(e) and under 35 U.S.C. § 103(a) of Claims 2-23, 25-46, and 48-52 be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Usha Munukutla-Parker
Registration No. 61,939

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)